

CORRESPONDENCE SUMMARY

DATE: July 16, 2014

DETERMINATION NUMBER: ZCOR-2014-0092.ts

SUBJECT: Moorcones Subdivision – water/sewer requirements and subdivision validity

1993 ORDINANCE REFERENCE NUMBERS: Section 2-1100

TAX MAP/PARCEL NUMBER:	PIN:
/35/E/1////35/	489-35-1837
/35/E/1////36/	489-35-1037
/35/E/1////37/	489-35-0338
/35/E/1////38/	524-30-9438
/35/E/1////39/	524-30-8839
/35/E/1////40/	524-30-8139
/35/E/1////41/	524-30-7040
/35/E/1////42/	524-30-6241
/35/E/1////43/	524-30-5442
/35/E/1////44/	524-30-4643
/35/E/1////45/	524-30-3844
/35/E/1////46/	524-30-3044
/35/E/1////47/	524-30-1945
/35/E/1////RD/	524-39-9344

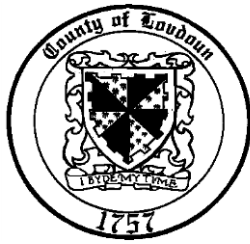
Correspondence Summary: The Town of Purcellville will not provide municipal water/sewer to the properties, therefore, individual/private water and sewer must be provided. The County cannot opine as to whether the “50’ wide right-of-way easement for ingress and egress to the lots” is public or private. And, as long as the lot and building requirements in Section 2-1104 are maintained, the lots shown on the subdivision may be built upon.

Author: Theresa M. Stein

*Indicates where to file

Is this a determination? Check one: Yes X No

Property Owner:	THOMAS MOORCONES, ET AL	BEVERLY B. MACDONALD
	c/o MARY T. MOORCONES	110 N 28TH ST
	20587 CRESCENT POINTE PL	PURCELLVILLE, VA 20132-3087
	ASHBURN, VA 20147-5536	



Loudoun County, Virginia

www.loudoun.gov

Department of Planning and Zoning

Zoning Administration

1 Harrison Street, S.E., 3rd Floor, P.O. Box 7000, Leesburg, VA 20177-7000

703/777-0220 • Fax 703/777-0441

July 7, 2014

Ms. Lisa Keesling, Office Manager
PR Construction & Development
107B Royal Street, SW
Leesburg, VA 20175

Re: Moorcones Subdivision ("Properties")

Tax Map/Parcel:

/35/E/1///35/

/35/E/1///36/

/35/E/1///37/

/35/E/1///38/

/35/E/1///39/

/35/E/1///40/

/35/E/1///41/

/35/E/1///42/

/35/E/1///43/

/35/E/1///44/

/35/E/1///45/

/35/E/1///46/

/35/E/1///47/

/35/E/1///RD/

PIN:

489-35-1837

489-35-1037

489-35-0338

524-30-9438

524-30-8839

524-30-8139

524-30-7040

524-30-6241

524-30-5442

524-30-4643

524-30-3844

524-30-3044

524-30-1945

524-39-9344

Dear Ms. Keesling:

This is in response to your letter dated May 22, 2014, wherein you ask several questions about the Properties. Those questions, along with the responses, are as follows:

1. *Will these lots be served by Town of Purcellville water and sewer or will they be on private well and septic?* The Town of Purcellville has not received a request to connect the Properties to the Town's municipal system, and based on conversations with a Town representative, the Town has no plans to provide water/sewer to the Properties. However, staff recommends that a formal request be submitted to the Town as to the availability of municipal systems. Pursuant to Section 2-1105(C)(1) of the Revised 1993 Loudoun County Zoning Ordinance (Ordinance), if the Town does not permit the connection, the "development may be served by an individual water supply system (private well) and/or an individual sewage disposal system."
2. *Is the 50' Right of Way a public or private access and how many lots are allowed off a private shared driveway?* It appears that a fifty foot (50') wide right-of-way easement for ingress and egress was established as part of the original plat recorded in Deed Book

411 at Pages 88-90. Since the County was not party to this document, the County cannot respond to this question since it is a private matter. I would suggest that the easement be reviewed by an attorney for a response to this question.

3. *Are there any regulations that would prevent us from building on these lots?* As stated in the July 10, 2007 letter from Michael Seigfried, with the Loudoun County Department of Building and Development, the lots shown on the plat are lawfully subdivided. The lots shown on the 1962 subdivision plat may be built upon as long as they meet the current JLMA-2 zoning district requirements and other regulatory provisions.

This determination applies solely to the referenced property and is not binding upon the County, the Zoning Administrator or any other official with respect to any other property. No person may rely upon this determination with respect to any property other than the referenced property.

Please be advised that any person aggrieved, or any officer, department or agency of Loudoun County affected by an order, requirement, decision or determination made by an administrative officer in the administration or enforcement of the provisions of the Zoning Ordinance may appeal said decision within thirty days to the Board of Zoning Appeals in strict accordance with Section 15.2-2311 of the Code of Virginia. This decision is final and unappealable if not appealed within 30 days. An application package for an appeal to the Board of Zoning Appeals may be obtained by visiting the Loudoun County Government Center, 1 Harrison St. S.E., Second Floor, Customer Service, Leesburg, VA. Two copies of the completed application must be submitted to the Department of Building and Development Customer Service counter with the fee payment of \$350.00 within 30 days from the date of this letter.

Sincerely,



Theresa M. Stein, Planner, CZA
Zoning Administration

cc: Scott K. York, Chairman, Board of Supervisors
Janet Clarke, Supervisor, Blue Ridge Election District
Julie Pastor, FAICP, Director, Department of Planning & Zoning
Nicole Dozier, Loudoun County Zoning Administrator
Mark O. Stultz, Deputy Zoning Administrator
Property Owner